

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA

-against-

ROBERT COPLAN,  
MARTIN NISSENBAUM,  
RICHARD SHAPIRO,  
BRIAN VAUGHN,  
DAVID L. SMITH, and  
CHARLES BOLTON,

*Defendants.*  
-----X

(S1) 07 CR 453 (SHS)

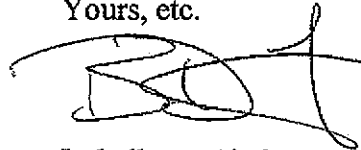
NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the annexed declaration of Isabelle Kirshner, Esq., duly sworn to on the 5<sup>th</sup> day of May, 2008, the Exhibits annexed thereto, and the accompanying Memorandum of Law, and all proceedings heretofore had herein, the undersigned counsel for Martin Nissenbaum shall move this Court, before the Honorable Sidney H. Stein, at the United States Courthouse, 500 Pearl Street, New York, New York, for an ORDER:

1. Pursuant to Rule 8(b), Fed.R.Crim.P., severing counts five, six, seven, and eight from the remaining counts of the indictment;
2. Pursuant to Rule 7(f), Fed.R.Crim.P., compelling the government to provide the defendant with a bill of particulars;
3. Pursuant to Rule 16, Fed.R.Crim.P., and the rule of Brady v. Maryland, 373 U.S. 83 (1963), compelling the government to comply with its discovery obligations; and
4. For such other and further relief as to this Court may seem just and proper, including leave to join in such applications for pretrial relief as may be filed on behalf of the co-defendants in this prosecution.

Dated: New York, New York  
May 5, 2008

Yours, etc.

A handwritten signature in black ink, appearing to be 'Isabelle A. Kirshner', written over a horizontal line.

Isabelle A. Kirshner, Esq. (7133)

Brian D. Linder, Esq. (3581)

CLAYMAN & ROSENBERG

305 Madison Avenue, Suite 1301

New York, New York 10165

(212) 922-1080

Attorneys for Martin Nissenbaum

TO: Clerk of the Court

Lauren Goldberg

Marshall Camp

Assistant United States Attorneys

All Defense Counsel